

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested in view of the above amendments and the comments that follow.

This Amendment is accompanied by a document entitled, "POWER OF ATTORNEY, CHANGE OF CORRESPONDENCE ADDRESS AND CHANGE OF ATTORNEY DOCKET NUMBER", whereby all powers of attorney previously given are revoked and whereby specified individuals, including the undersigned, have been granted power of attorney to prosecute and transact all business in the United States Patent and Trademark Office. Also, please note the Change of Correspondence Address and the Change of Attorney Docket Number also set forth in the accompanying document.

This response is timely filed as it is filed within the one (1) month shortened statutory period for response to the outstanding Office Action.

The amendments to claims 22 and 25 are supported throughout the specification. See, for instance, page 3, lines 8 to 15, and page 4, lines 9 to 12.

In response to the restriction requirement under 35 U.S.C. 121, applicants hereby provisionally elect with traverse to prosecute in the above-identified patent application the invention of Group II (claims 22, 24 and 25 drawn to a method for operating a Multi-Stage Preferential Oxidation reactor).

Reconsideration and withdrawal of the restriction requirement are respectfully requested for the following reasons.

The Patent and Trademark Office has asserted that the invention of Group I (claims 1 to 3 and 5 to 21, drawn to a Multi-Stage Preferential Oxidation reactor, classified in class 422, subclass 211, 189) is distinct from the invention of Group II. The sole basis proffered for support of the assertion that the inventions are distinct is the allegation that:

...the processes as claimed can be practiced by another materially different apparatus, such as a fluidized bed reactor containing an oxidation catalyst and having an inlet means for supplying a carbon-monoxide containing gas and an oxidant to the reactor. (page 2)

The Office has shown no technical support for this assertion and has failed to point out the bases in the claims of the Group I invention and of the Group II invention to support this assertion.

It is respectfully submitted that the reason proffered by the Office to support its position that the inventions of Group I and II are distinct are speculative and not founded in the claims. Accordingly, the restriction requirement is improper and should be withdrawn.

The Examiner's attention is drawn to US-A-6,497,970, which discloses processes for generating hydrogen using a selective oxidation reactor to reduce carbon

monoxide content in hydrogen-containing reformat. An oxygen injection system is used for feeding a preferential oxidizer through pulses of oxygen, the duration of the pulse and the time between pulses being established by a control unit. The injector system is said to provide a precise amount of oxygen for oxidation of the carbon monoxide with minimal oxidation of hydrogen. The duration of the pulses are extremely short. See, column 9, lines 7 to 9. Thus the effect is that the catalyst in the reactor would see essentially a constant flow of oxidant. The patent does not disclose or suggest that a pulsed flow of oxidant or product-gas could enhance the selectivity of the preferential oxidation to the oxidation of carbon monoxide. Accordingly, this patent does not adversely affect the patentability of applicants' claimed invention.

An early, favorable action with an allowance of the claims is earnestly solicited. Should the Examiner detect any remaining issue or have any question, the Examiner is kindly requested to contact the undersigned, preferably by telephone, in an effort to expedite examination of this application.

Respectfully submitted,



Nick C. Kottis

Registration No. 31,974

Pauley Petersen & Erickson
2800 West Higgins Road Suite 365
Hoffman Estates, Illinois 60195
TEL (847) 490-1400
FAX (847) 490-1403